

UNITED STATES DISTRICT COURT  
STATE OF MASSACHUSETTS

05-10952 DPW  
05-10  
05-10

Leon McLEAN A# 36 843 530  
DOC NO.

VERSUS

Alberto Gonzalez, Attorney  
General of United States; et al.

AFFIDAVIT TO PROCEED IN FORMA PAUPERIS

I, Leon McLean, prisoner/INS identification number 220024265,  
(Full Name)

declare that I am the Petitioner/Plaintiff

\* If you are a plaintiff in a civil rights action, are you serving a criminal sentence? yes X no

\* If you are not serving a criminal sentence, are you being held pursuant to a detainer placed upon you by a government agency such as the Immigration and Naturalization Service? X yes no

           Movant (filing 28 U.S.C §2255 motion)

XXX Other           

in this case. In support of my request to proceed without prepayment of the full filing fee or costs under 28 U.S.C. §1915, I declare that I am unable to pay the full filing fee or costs of these proceedings and that I am entitled to the relief sought in the complaint/petition/motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you incarcerated? XXX yes            no

If "Yes," state place of incarceration: Federal Detention Center

P.O. Box 5010, Oakdale, LA 71463

(If "No," this is the wrong form for you. You should request the Non-prisoner Declaration in

Support of Request to Proceed *In Forma Pauperis*.)

2. Do you have a work, program, status assignment, or other circumstances which causes you to be paid by the prison, jail or other custodial institution? XX Yes \_\_\_\_\_ No

3. In the past 12 months have you received money from the following sources? If so, state the total amount received.

			<u>Amount</u>
A. Business, profession, or other self-employment	_____ Yes	<u>x</u> No	\$ _____
B. Rent payments, interest, or dividends	_____ Yes	<u>x</u> No	\$ _____
C. Pensions, annuities, or life insurance payments	_____ Yes	<u>x</u> No	\$ _____
D. Disability or Workers' Compensation Payments	_____ Yes	<u>x</u> No	\$ _____
E. Gifts or Inheritances	_____ Yes	<u>x</u> No	\$ _____
F. Any other sources	_____ Yes	<u>x</u> No	\$ _____

If the answer to any of the above is "Yes," describe each source of money and state the amount received and the amount that you expect to continue to receive.

4. Do you have any cash or checking or savings accounts outside the prison?

\_\_\_\_\_ Yes x No Amount \$ \_\_\_\_\_

5. Do you have a secondary savings account, such as a certificate of deposit or a savings bond?

\_\_\_\_\_ Yes x No Amount \$ \_\_\_\_\_

6. Do you own any assets including real estate, stocks, bonds, securities, other financial instruments, automobiles, or other valuable property?

\_\_\_\_\_ Yes x No

If "yes," describe each asset and state its value:

	<u>VALUE</u>
Automobiles _____ (Make/model/year) _____	\$ 0
Stocks _____	\$ 0
Bonds _____	\$ 0
Notes _____	\$ 0
Real Estate _____	\$ 0
\$ _____ (Mortgage)	
Other _____	\$ 0

7. Have you on any prior occasion, while incarcerated or detained in any prison, jail, or other facility, brought an action in federal court that was dismissed on the grounds that it was frivolous, malicious, or failed to state a claim upon which relief could be granted?        Yes   x   No

If "yes," list the dismissals:

<u>Date Dismissed</u>	<u>Case Name</u>	<u>Case number</u>	<u>Court</u>
<u>NA</u>	<u>      </u> v. <u>      </u>	<u>      </u>	<u>      </u>
<u>NA</u>	<u>      </u> v. <u>      </u>	<u>      </u>	<u>      </u>
<u>NA</u>	<u>      </u> v. <u>      </u>	<u>      </u>	<u>      </u>

I declare under penalty of perjury that I have submitted above a complete statement of all of the assets that I possess and that all of the information set out above is true and correct.

Executed on 5-07-05  
(Date)

Leon M. Keen  
(Signature of Applicant)

APPLICATION OF FORM FEE WAIVER REQUEST

AFFIDAVIT

I declare under the penalty of perjury that the foregoing  
true and correct:

1. I am currently incarcerated.
2. I am indigent and can not afford the fees to prosecute this  
application or form.
3. I believe I am entitled to the relief requested.

Sworn to before me on  
this 2nd day of May, 2005

Michele W. Aucoin  
Notary Public  
038384



Respectfully Submitted

Leon McLean  
Leon Mc LEAN (Pro-se)  
B.O.P.# 22002-265  
Federal Detention Center  
PO Box 5010,  
Oakdale, LA 71463